

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

James RUSSELL

Serial No. 10/592,224

IA Filing Date: March 4, 2006

For: TOLL-LIKE RECEPTOR2 (TLR-2) HAPLOTYPES

PREDICT OUTCOME OF PATIENTS

LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC 371

Atty's Dkt: RUSSELL4

) Application Division

) **ATTN: PCT**

) Washington, D.C.

) Confirmation No.: 7819

) Date: June 4, 2007

U.S. Patent and Trademark Office

Customer Service Window

Randolph Building, Mail Stop Missing Parts

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Sir:

The present communication is in response to the "NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371..." dated April 2, 2007.

[XX] Attached hereto are two (2) executed declarations+ in compliance with 37 C.F.R. 1.63, identifying the present application by title, filing date and priority information.

[XX] Sequence Listing

☐ Paper Copy ( pages)

☒ Computer readable form

☐ A copy of the front page of the WO publication, acknowledging the DOI, is enclosed.

☐ A copy of the acknowledgement of receipt of the DOI is enclosed.

☐ Since the declaration was the only surchargeable item allegedly omitted and the DOI was timely filed, the imposition of the surcharge was improper

☐ Additional fees as calculated below:

<input type="checkbox"/> Search fee		
<input type="checkbox"/> Examination fee		
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$130.00
Number of each additional 50 pages or fraction thereof (round up to a whole number)	RATE	
	X \$250.00	
Number of Claims Previously Paid For	Number of Extra Claims	Rate
- 20 =		X \$ 50.00
- 3 =		X \$200.00
Multiple Dependent Claims (if applicable)		+ \$360.00
<b>TOTAL OF ABOVE CALCULATIONS</b>		\$130.00
Reduction of 1/2 for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27.		<\$65.00 >
<b>SUBTOTAL</b>		\$65.00
Processing fee of \$130.00 for late furnishing of the English translation.		\$
<b>TOTAL NATIONAL FEE</b>		\$65.00

☐ Surcharge for late filing of the Declaration was paid on \_\_\_\_\_.

☐ It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

Small Entity

Response Filed Within

☐ First - \$ 60.00  
☐ Second - \$ 225.00  
☐ Third - \$ 510.00  
☐ Fourth - \$ 795.00  
☐ Fifth - \$1,080.00

month after time period set

Other Than Small Entity

Response Filed Within

☐ First - \$ 120.00  
☐ Second - \$ 450.00  
☐ Third - \$1,020.00  
☐ Fourth - \$1,590.00  
☐ Fifth - \$2,160.00

month after time period set

11/28/2008 SSANDAR1 00000001 10592224

01 FC:2251

65.00 0P

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	4335458
<b>Application Number:</b>	10591224
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	7819
<b>Title of Invention:</b>	Toll-like receptor 2 (tlr-2) haplotypes predict outcome of patients
<b>First Named Inventor/Applicant Name:</b>	James Russell
<b>Customer Number:</b>	01444
<b>Filer:</b>	Roger Lowen Browdy/Mary Anne Kornbau
<b>Filer Authorized By:</b>	Roger Lowen Browdy
<b>Attorney Docket Number:</b>	28903:0004
<b>Receipt Date:</b>	21-NOV-2008
<b>Filing Date:</b>	
<b>Time Stamp:</b>	16:28:51
<b>Application Type:</b>	U.S. National Stage under 35 USC 371

### Payment information:

Submitted with Payment	no
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### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Oath or Declaration filed	RUSSELL_exec_Dec.pdf	117195 f044d151ededcb4ff3fbbb6b593de0c718b380	no	2

### Warnings:

### Information:

2	Oath or Declaration filed	WALLEY_exec_Dec.pdf	100175	no	2
			3de5af5957f583fd087ce862019461bf8d9c9d31		
Warnings:					
Information:					
3	CRF Statement Paper and CRF are the same	2007-06-04_MSP_Resp_Seq_Statement.pdf	235409	no	2
			039c19242edfa0b16fa15a00953458555a7d5d961		
Warnings:					
Information:					
4	Miscellaneous Incoming Letter	2007-06-04_Credit_Card_Payment.pdf	475709	no	1
			643230fd54eb86425aa94a0091b2dda4b5af59a		
Warnings:					
Information:					
5	Miscellaneous Incoming Letter	2007-06-04_Filing_Confirm_Postcard.pdf	151840	no	1
			ff2dca214c35ae8a6630667a7f8d072aaa90c2e8		
Warnings:					
Information:					
6	Miscellaneous Incoming Letter	2007-06-04_MSP_Transmittal.pdf	439808	no	2
			4643bc41e67e4ea984f7098662ea4f81c2a62c8c		
Warnings:					
Information:					
7	Sequence Listing	SEQ_LIST_US_Russell4.pdf	195242	no	21
			740f25821dae29e907e9b4efb7ed030a456696c		
Warnings:					
Information:					
8	Petition for review by the Office of Petitions.	2008-11-21_Petit_Vacate_Abandoned.pdf	121634	no	2
			874404a4d70ed6f5516f11416da3b08a21c0b33f		
Warnings:					
Information:					
9	Sequence Listing (Text File)	SEQ_LIST_US_Russell4.txt	43305	no	0
Warnings:					
Information:					
Total Files Size (in bytes):			1880317		

**This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.**

**New Applications Under 35 U.S.C. 111**

**If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.**

**National Stage of an International Application under 35 U.S.C. 371**

**If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.**

**New International Application Filed with the USPTO as a Receiving Office**

**If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.**